

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION**

Dakota Access, LLC,

Plaintiff,

vs.

Dave Archambault II, Jonathan Edwards,  
Dana Yellow Fat, Valerie Dawn  
Wolfnecklace, Clifton Verle Hollow, Donald  
Dennis Strickland, Aaron Gabriel Neyer, and  
John and Jane Does,

Defendants.

Case No. \_\_\_\_\_

**DECLARATION OF LAWRENCE  
BENDER IN SUPPORT OF PLAINTIFF  
DAKOTA ACCESS, LLC'S MOTION  
FOR A TEMPORARY RESTRAINING  
ORDER**

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Lawrence Bender declares as follows:

1. I am an attorney with Fredrikson & Byron, P.A., counsel for Plaintiff Dakota Access, LLC ("Dakota Access") in the above-captioned matter, and I submit this Affidavit pursuant to Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure.

2. I have retained a private process server to attempt to locate the above-named Defendants and personally serve them with a copy of the Summons, Complaint, Motion for a Temporary Restraining Order, Brief in Support of Motion for a Temporary Restraining Order, and all supporting Declarations.

3. However, it is my understanding that some of the named Defendants, including Jonathon Edwards, Donald Dennis Strickland, and Aaron Gabriel Neyer, reside outside of North Dakota but are visiting North Dakota and staying at unknown locations. As a result, it may be difficult to locate them and serve them.

4. If any of the unnamed Defendants (the "John and Jane Does") are identified, I will also have a process server attempt to locate and serve them with the Summons, Complaint,

Motion for a Temporary Restraining Order, Brief in Support of Motion for a Temporary Restraining Order, and all supporting Declarations.

5. Because of Defendants' increasingly threatening behavior, Dakota Access requests that a temporary restraining order be issued *ex parte*, and that a hearing with respect to whether the restraining order should be converted to a preliminary injunction be scheduled at the convenience of the Court.

6. If the Motion for a Temporary Restraining Order is granted, I will arrange to have copies of the Court's Order distributed at the site of the Dakota Access Pipeline protesting in an effort to notify any and all individuals affected by it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 15, 2016.

/s/ Lawrence Bender  
Lawrence Bender

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